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Attorneys for Defendant
ANTONIO IBARRA LEMUS

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

ANTONIO IBARRA LEMUS,

Defendant.

No. Cr. F 99-5344 AWI

**STIPULATED MOTION AND ORDER TO
REDUCE SENTENCE PURSUANT TO 18
U.S.C. § 3582(c)(2)**

RETROACTIVE DRUGS-MINUS-TWO
REDUCTION CASE

Judge: Honorable ANTHONY W. ISHII

Defendant, ANTONIO IBARRA LEMUS, by and through his attorney, Assistant Federal Defender David M. Porter, and plaintiff, UNITED STATES OF AMERICA, by and through its counsel, Assistant U.S. Attorney Kathleen A. Servatius, hereby stipulate as follows:

1. Pursuant to 18 U.S.C. § 3582(c)(2), this Court may reduce the term of imprisonment in the case of a defendant who has been sentenced to a term of imprisonment based on a sentencing range that has subsequently been lowered by the Sentencing Commission pursuant to 28 U.S.C. § 994(o);

2. On July 31, 2007, this Court sentenced Mr. Lemus to a term of 188 months imprisonment on each of Counts One and Two, to be served concurrently, for a total term of 188 months;

3. His total offense level was 36, his criminal history category was I, and the resulting guideline range was 188 to 235 months;

4. The sentencing range applicable to Mr. Lemus was subsequently lowered by the United States Sentencing Commission in Amendment 782, made retroactive on July 18, 2014, see 79 Fed. Reg. 44,973;

5. Mr. Lemus's total offense level has been reduced from 36 to 34, and his amended guideline range is 151 to 188 months; and,

6. Accordingly, the parties request the Court enter the order lodged herewith reducing Mr. Lemus's term of imprisonment to a total term of 151 months.

Respectfully submitted,

Dated: November 25, 2014

Dated: November 25, 2014

BENJAMIN B. WAGNER
United States Attorney

HEATHER E. WILLIAMS
Federal Defender

/s/ Kathleen A. Servatius
KATHLEEN A. SERVATIUS
Assistant U.S. Attorney

/s/ David M. Porter
DAVID M. PORTER
Assistant Federal Defender

Attorney for Plaintiff
UNITED STATES OF AMERICA

Attorney for Defendant
ANTONIO IBARRA LEMUS

ORDER

This matter came before the Court on the stipulated motion of the defendant for reduction of sentence pursuant to 18 U.S.C. § 3582(c)(2).

The parties agree, and the Court finds, that Mr. Lemus is entitled to the benefit Amendment 782, which reduces the total offense level from 36 to 34, resulting in an amended guideline range of 151 to 188 months.

IT IS HEREBY ORDERED that the term of imprisonment imposed in July 2007 is reduced to a term of 151 months on each of Counts One and Two, to be served concurrently, for a total term of 151 months.

IT IS FURTHER ORDERED that all other terms and provisions of the original judgment remain in effect. The clerk shall forthwith prepare an amended judgment reflecting the above reduction in sentence, and shall serve certified copies of the amended judgment on the United States Bureau of Prisons and the United States Probation Office.

1 Unless otherwise ordered, Mr. Lemus shall report to the United States Probation Office
2 within seventy-two hours after his release.

3
4 IT IS SO ORDERED.

5 Dated: November 26, 2014


6 SENIOR DISTRICT JUDGE